

MAIL STOP PCT

ATTORNEY'S DOCKET NUMBER: 26753U

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE		DATE: <u>May 3</u> 2005 ( <u>3</u> . <u>8</u> . 2005)
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLN. NUMBER: (if known): Not Yet Assigned <b>10/533639</b>
INTERNATIONAL APPLICATION NUMBER: PCT/IL2003/000914	INTERNATIONAL FILING DATE: 04 November 2003 (04.11.2003)	PRIORITY DATE CLAIMED: 04 November 2002 (04.11.2002) IL
TITLE OF INVENTION: IMPLANTABLE MEDICAL DEVICE FOR CONTROLLED RELEASE OF SUBSTANCE		
APPLICANT(S) FOR DO/EO/US: Daniel YACHIA, Eran HIRSZOWICZ		
<p>Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This express request to begin national examination procedures (35 USC 371(f)) The submission must include items(5), (6), (9) and (21) indicated below.</li> <li><input checked="" type="checkbox"/> The U.S. has been elected.</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):             <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> has been communicated by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ol> </li> <li><input type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)).</li> <li><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</b></p> <ol style="list-style-type: none"> <li><input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li><input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li><input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li><input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825</li> <li><input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)</li> <li><input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)</li> <li><input checked="" type="checkbox"/> Other items or information: TRANSMITTAL LETTER; TRANSMITTAL LETTER TO U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING FILING UNDER 35 U.S.C. 371; INTERNATIONAL PUBLICATION NUMBER: WO 2004/041242 A1, WITH INTERNATIONAL SEARCH REPORT (PCT/ISA/210); INTERNATIONAL PUBLICATION DATE: 21 MAY 2004 (21.05.2004) WHICH CONSISTS OF 26 PAGES: 2 PAGE COVER SHEET, 9 PAGES OF TEXTUAL SPECIFICATION, 4 PAGES OF 28 CLAIMS, 1 PAGE ABSTRACT, 10 SHEETS OF DRAWINGS; PRELIMINARY AMENDMENT WITH ATTACHMENT A TO BE EXAMINED; UNEXECUTED INVENTORS DECLARATION.</li> </ol>		

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U.S. APPLICATION NUMBER: (If known) Not Yet Assigned	INTERNATIONAL APPLICATION NUMBER: PCT/IL2003/000914	DATE: <u>May 3</u> 2005 ( <u>3</u> . <u>5</u> . 2005)
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The following fees are submitted:	<u>CALCULATIONS</u>	<u>PTO USE ONLY</u>
21. Basic National Fee ..... \$ 300.00	\$ 300.00	
22. Examination Fee If International Preliminary Examination Report prepared by USPTO and all claims satisfy Provisions of PCT Article 33(1)-(4) ..... \$ 100.00 All other situations ..... \$ 200.00	\$ 200.00	
23. Search Fee (37 CFR 1.445(a)(2) has been paid on the International Application to the USPTO as an International Searching Authority ... \$ 100.00 International Search Report prepared and provided to the Office ..... \$ 400.00 All other situations ..... \$ 500.00	\$ 400.00	
___ Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof.		
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>	<b>\$ 900.00</b>	

Surcharge of \$130.00 for furnishing the oath or declaration later than ___ 20 ___ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$ 0.00	
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CLAIMS	NUMBER: FILED	NUMBER: EXTRA	RATE		
TOTAL	28-20=	8	X \$ 50.00	\$ 400.00	
INDEPENDENT	1- 3=	0	X \$ 200.00	\$ 0.00	
Multiple dependent claims(s) (if applicable)			+ \$360.00	\$ 0.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 1,300.00</b>	
Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).				\$ - 650.00	
<b>SUBTOTAL =</b>				<b>\$ 650.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than ___ 20 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +				\$ 0.00	
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 650.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$ 0.00	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 650.00</b>	
				Amount to be: refunded	\$
				charged	\$

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a. ☒ One check in the amount of \$ 650.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account Number: 14-0112 in the amount of \$ \_\_\_\_\_ to cover the above fees. (A duplicate copy of this sheet is enclosed.)

c. ☒ The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.

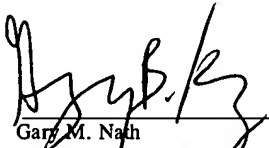
d. ☐ Fees are to be charged to a credit card ☐ WARNING: Information on this form may become public ☐ Credit Card Information should not be included on this form. ☐ Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

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JC20 PCT/PTO 03 MAY 2005

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Attorney Docket: 26753U

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

YACHIA et al.

Serial Number: NOT YET ASSIGNED

International Application Number: PCT/IL2003/000914

Filing Date: May 3, 2005

International Filing Date: 04 November 2003 (04.11.2003)

Title: **IMPLANTABLE MEDICAL DEVICE FOR CONTROLLED RELEASE OF A SUBSTANCE**

**TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter;
- (2) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning Filing under 35 U.S.C. 371;
- (3) International Publication Number: WO 2004/041242 A1, with International Search Report (PCT/ISA/210), International Publication Date: 21 May 2004 (21.05.2004), which consists of 26 pages:
  - 2 pages of the Cover Sheet,
  - 9 pages of Textual Specification,
  - 4 pages of 28 Claims,
  - 1 page Abstract
  - 10 sheets of Drawings;
- (4) **Preliminary Amendment with Attachment A to be Examined;**
- (5) Unexecuted Inventor's Declaration;
- (6) Check No. 22974 \$ 650.00 for Basic Filing Fee, Examination Fee, Search Fee and additional claims fees for a small entity;
- (7) Postcard for early notification of serial number

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

Date: May 3, 2005

By:

Gary M. Nath

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